

MEYER DECL.

EDWARDS ANGELL PALMER & DODGE LLP
Rory J. McEvoy (RM-1327)
Shari A. Alexander (SA-0615)
Attorneys for Defendants
Beth Israel Medical Center
and Continuum Health Partners, Inc.
750 Lexington Avenue
New York, New York 10022
212.308.4411

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH DI GIOVANNA,

Plaintiff,

08 Civ. 02750 (LAK)

-against-

**DECLARATION OF
KATHRYN MEYER, ESQ.**

BETH ISRAEL MEDICAL CENTER, and
CONTINUUM HEALTH PARTNERS, INC.,

Defendants.

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KATHRYN MEYER, ESQ., pursuant to 28 U.S.C. § 1746, declares under penalty
of perjury that the following is true and correct:

1. I am the Executive Vice President of Corporate Affairs and General
Counsel of Continuum Health Partners, Inc. and I make this declaration in support of Continuum
Health Partners, Inc.'s motion to dismiss the complaint. I am fully familiar with the specific
matters set forth herein.

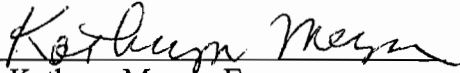
2. Continuum Health Partners, Inc. is a holding company primarily created
for the purpose of serving as the parent of several hospitals, including Beth Israel Medical
Center.

3. Continuum Health Partners, Inc. has no assets and derives its revenue only
from contributions from those hospitals to cover its operating expenses.

4. Continuum Health Partners, Inc. has only two employees: the Chief Executive Officer ("CEO") and the CEO's secretary.

5. Joseph Di Giovanna has never been an employee of Continuum Health Partners, Inc.

Dated: New York, New York
March 19, 2008


Kathryn Meyer, Esq.

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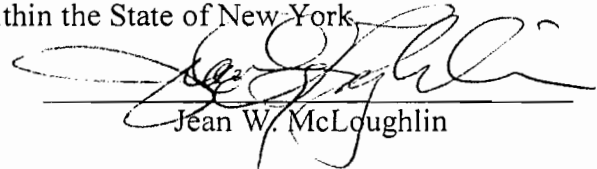
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
JOSEPH DI GIOVANNA, :
 :
Plaintiff, : 08 Civ. 02750 (LAK)
 :
-against- : **AFFIDAVIT OF SERVICE**
 :
BETH ISRAEL MEDICAL CENTER, and :
CONTINUUM HEALTH PARTNERS, INC., :
 :
Defendant. :
----- X

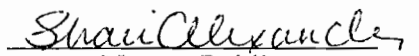
Jean W. McLoughlin, being duly sworn, deposes and says that she is over the age of eighteen; is not a party to this action; and that on the 21st day of March 2008, she served a true copy of the foregoing MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT CONTINUUM HEALTH PARTNER, INC.'S MOTION TO DISMISS, and NOTICE OF MOTION with accompanying declarations and exhibits annexed thereto upon:

Louis Ginsberg, Esq.
The Law Firm of Louis Ginsberg, P.C.
Attorneys for Plaintiff
1613 Northern Boulevard
Roslyn, New York 11576

by depositing a true copy of said document enclosed in prepaid, sealed wrapper, properly addressed to the above-named party, in an official depository under the exclusive care and custody of Federal Express, via overnight delivery, within the State of New York.


Jean W. McLoughlin

Sworn to before me this
21st day of March 2008


Notary Public
SHARI A. ALEXANDER
NOTARY PUBLIC-STATE OF NEW YORK
No. 02AL6144342
Qualified In New York County
My Commission Expires April 24, 2010